

18 mily 1956

OGC Has Reviewed

		Chief, F	Learnce Divis	tion		
	ALLEN JULION	Chief, A	gest Service	e Section	25X1A9A	
	SUBJECT	Fayment	of the Tree	sefar Allegance		
	HEFERENCE I	Your Man	Greekla, Sa	se Subject, Und		
25X1A9A 	1. Your memorandum, which consisted of a comment on the routing and record sheet attached to T application for a home service transfer allowance, relead the question of his eligibility for the payment of this allowance at the v/femily rate.					
25X1A9A	and it may come	pears that	we think it	irst time this best to set o stationed in [ber own expens	et our comme	nts in 25X1A6A
25X1A9A						shortly 25X1A6A
25X1A9A	rejoined him is	THE PARTY OF	n. The Chie	of, FE Mivision reces position	, Das certifi	ed their
	tion of his too	ur of duty	in the Unite	d States. Thi	s being so, h	e becomes
	eligible for the					
	w/femily rate	or the v/o	family rate.		A CANADA	
25X1A9A	3. In a r for payment at traveled under throught that the			me anditor took the theory that		
2EV1101	thought that th	sene were c	coditions pr	ecedent to the	perent of t	is treasing
23A 1A9A	allowence to	et th	e w/femily a	ate.		
	d. We can dections 250 th Civilians, Fore that, in order the w/femily re	rough 250. tign Arons) for a marr	3 of the Sta . Howhere i ied employee	n these regula to receive a	lations (Cove tions is it r transfer allo	roment equired wance st

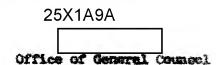


and at Government expense. In the absence of a specific treatment of the subject, we believe we may look to the purpose of the transfer allowance in order to resolve the issue. In Section 251.11, a transfer allowance is defined as:

"a cost of living allowence granted . . . to an employee for extraordinary and necessary expenses deemed incident to the establishment of his residence at the post of semigroment".

Under Section 251.3, the distinction is made between rates of payment in terms of w/femily or wo/femily. It would seem to us that the problem which the allowance is simple at alleviating is that of the expense incident to setting up a new home at a new location. And it would seem that an employee would have this expense whether his femily moved at Covernment expense and under Covernment orders or by private means. This being so, we conclude _______ to be entitled to the payment of the transfer allowance at the w/femily rate.

5. This conclusion has been checked with the Department of State; and we are informed that under the circumstances of this case that Department would pay the allowance at the w/family rate.



OGC/HF:pkb

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